

110TH CONGRESS  
1ST SESSION

# H. R. 2131

To amend the Public Health Service Act and title XIX of the Social Security Act to provide for a screening and treatment program for prostate cancer in the same manner as is provided for breast and cervical cancer.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 3, 2007

Mr. MARSHALL (for himself, Mr. KING of New York, Mr. TOWNS, Mr. FOSSELLA, Mr. ACKERMAN, Mr. ARCURI, Mr. BISHOP of New York, Ms. CLARKE, Mr. CROWLEY, Mr. ENGEL, Mrs. GILLIBRAND, Mr. HALL of New York, Mr. HIGGINS, Mr. HINCHEY, Mr. ISRAEL, Mr. KUHL of New York, Mrs. LOWEY, Mrs. MCCARTHY of New York, Mr. MCHUGH, Mr. McNULTY, Mrs. MALONEY of New York, Mr. MEEKS of New York, Mr. NADLER, Mr. RANGEL, Mr. REYNOLDS, Mr. SERRANO, Ms. VELÁZQUEZ, Ms. SLAUGHTER, Mr. WALSH of New York, and Mr. WEINER) introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To amend the Public Health Service Act and title XIX of the Social Security Act to provide for a screening and treatment program for prostate cancer in the same manner as is provided for breast and cervical cancer.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Thomas J. Manton  
3 Prostate Cancer Early Detection and Treatment Act of  
4 2007”.

5 **SEC. 2. PROSTATE CANCER SCREENING PROGRAM.**

6       (a) IN GENERAL.—Title XV of the Public Health  
7 Service Act (42 U.S.C. 300k et seq.) is amended by adding  
8 at the end the following:

9               **“Subtitle 2—Prostate Cancer**

10 **“SEC. 1521. PROSTATE CANCER.**

11       “(a) GRANTS TO STATES FOR PROGRAMS TO SCREEN  
12 FOR PROSTATE CANCER.—The Secretary, acting through  
13 the Director of the Centers for Disease Control and Pre-  
14 vention, may make grants to States to carry out programs  
15 with respect to prostate cancer. The provisions of sections  
16 1501 through 1508 (regarding breast and cervical cancer)  
17 shall apply to grants under this subsection to the same  
18 extent and in the same manner as such provisions apply  
19 to grants under section 1501.

20       “(b) SUPPLEMENTAL GRANTS FOR ADDITIONAL  
21 PREVENTIVE HEALTH SERVICES.—In the case of States  
22 receiving grants under subsection (a), the Secretary, act-  
23 ing through the Director of the Centers for Disease Con-  
24 trol and Prevention, may make grants to not more than  
25 3 such States to carry out demonstration projects with  
26 respect to prostate cancer. The provisions of section 1509

1 (regarding breast and cervical cancer), other than section  
 2 1509(d), shall apply to grants under this subsection to the  
 3 same extent and in the same manner as such provisions  
 4 apply to grants under section 1509.

5 “(c) AUTHORIZATION OF APPROPRIATIONS.—There  
 6 is authorized to be appropriated, such sums as may be  
 7 necessary in each fiscal year to carry out this section.”.

8 (b) TECHNICAL AMENDMENTS.—Title XV of the  
 9 Public Health Service Act (42 U.S.C. 300k et seq.) is  
 10 amended—

11 (1) in the heading of the title, by striking  
 12 **“BREAST AND CERVICAL CANCERS”** and  
 13 inserting **“BREAST, CERVICAL, AND**  
 14 **PROSTATE CANCERS”**;

15 (2) by inserting before section 1501 the fol-  
 16 lowing:

17 **“Subtitle 1—Breast and Cervical**  
 18 **Cancers”**;

19 (3) in sections 1504(c)(3)(A) and 1509(c), by  
 20 striking the term “This title” each place such term  
 21 appears and inserting “This subtitle”;

22 (4) in sections 1504(c)(3)(A) and 1509(c), by  
 23 striking the term “such title” each place such term  
 24 appears and inserting “such subtitle”; and

1 (5) in sections 1506, 1508(b), and 1510(a), by  
 2 striking the term “this title” each place such term  
 3 appears and inserting “this subtitle”.

4 **SEC. 3. OPTIONAL MEDICAID COVERAGE OF CERTAIN**  
 5 **PROSTATE CANCER PATIENTS.**

6 (a) COVERAGE AS OPTIONAL CATEGORICALLY  
 7 NEEDY GROUP AND LIMITATION ON BENEFITS.—Section  
 8 1902 of the Social Security Act (42 U.S.C. 1396a) is  
 9 amended—

10 (1) in subsection (a)(10)(A)(ii)(XVIII), by  
 11 striking “or cervical” and inserting “, cervical, or  
 12 prostate”;

13 (2) in subsection (a)(10), in the clause (XIV)  
 14 following subparagraph (G), by striking “or cer-  
 15 vical” and inserting “, cervical, or prostate”; and

16 (3) in subsection (aa)(3)—

17 (A) by inserting “(A)” after “(3)”;

18 (B) by striking “and” at the end and in-  
 19 serting “or”; and

20 (C) by adding at the end the following new  
 21 subparagraph:

22 “(B) at the option of the State, have been  
 23 screened for prostate cancer under the Centers for  
 24 Disease Control and Prevention prostate cancer  
 25 early detection program established under section

1       1521(a) of the Public Health Service Act and need  
2       treatment for prostate cancer; and”.

3       (b) APPLICATION OF PRESUMPTIVE ELIGIBILITY.—  
4       Section 1920B of such Act (42 U.S.C. 1396r-1b) is  
5       amended—

6               (1) in the heading by striking “OR CERVICAL”  
7       and inserting “, CERVICAL, OR PROSTATE”; and

8               (2) in subsection (a), by striking “or cervical”  
9       and inserting “, cervical, or prostate”.

10       (c) APPLICATION OF ENHANCED MATCH.—For appli-  
11       cation of enhanced Federal matching rate, see section  
12       1905(b)(4) of the Social Security Act (42 U.S.C.  
13       1396d(b)(4)).

14       (d) APPLICATION OF SPECIAL RULES ON COST-  
15       SHARING.—Section 1937(a)(2)(B)(x) of such Act (42  
16       U.S.C. 1396u-7(a)(2)(B)(x)), as added by section 6044(a)  
17       of the Deficit Reduction Act of 2005 (Public Law 109-  
18       171), is amended—

19               (1) in the heading by inserting “AND MEN IN  
20       THE PROSTATE CANCER PROGRAM” after “BREAST  
21       OR CERVICAL CANCER PROGRAM”; and

22               (2) by striking “is a woman who”.

1       (e) EFFECTIVE DATE.—The amendments made by  
2 this section shall apply to items and services furnished on  
3 or after October 1, 2006.

